

代號：50120-50520  
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頁次：4-1

100年公務人員特種考試一般警察人員考試、  
100年公務人員特種考試警察人員考試及  
100年特種考試交通事業鐵路人員考試試題

等 別：三等警察人員考試

類 科：行政警察人員、外事警察人員（選試英語）、刑事警察人員、公共安全人員、  
犯罪防治人員預防組、交通警察人員交通組、交通警察人員電訊組、警察資  
訊管理人員、刑事鑑識人員、國境警察人員、警察法制人員、行政管理人員

科 目：中華民國憲法與警察專業英文

考試時間：2 小時

座號：\_\_\_\_\_

※注意：禁止使用電子計算器。

甲、申論題部分：（25 分）

- (一)不必抄題，作答時請將試題題號及答案依照順序寫在申論試卷上，於本試題上作答者，不予計分。  
(二)請以藍、黑色鋼筆或原子筆在申論試卷上作答。

一、中譯英：請將以下兩段中文翻譯成正確、通順、達意的英文句子。（每小題 5 分，共 10 分）

- (一)沿著這條路走，在第一個路口右轉。你就會在左手邊看到臺灣警察專科學校。  
(二)如果你遺失了護照，請立即報失，並與你的大使館或駐臺機構聯絡，申請新護照。

二、英文作文：請依提示寫一篇英文作文。文長至少 120 個單詞。（15 分）

提示：寫一篇作文描述你所屬專業領域的主要工作內容，並說明擔任該工作應具備的知識及能力。

乙、測驗題部分：（75 分）

代號：2501

- (一)本測驗試題為單一選擇題，請選出一個正確或最適當的答案，複選作答者，該題不予計分。  
(二)共 60 題，每題 1.25 分，須用 2B 鉛筆在試卡上依題號清楚劃記，於本試題或申論試卷上作答者，不予計分。

- 1 下列何者不是憲法第 80 條所稱之法官？  
(A)公務員懲戒委員會委員 (B)公務人員保障暨培訓委員會委員  
(C)律師懲戒委員會委員 (D)司法院大法官
- 2 依憲法本文之規定，下列何者為我國最高司法機關？  
(A)最高法院 (B)司法院 (C)法務部 (D)行政院
- 3 依憲法增修條文之規定，總統、副總統彈劾之審理，是由下列何者負責？  
(A)最高法院 (B)監察院 (C)憲法法庭 (D)公務員懲戒委員會
- 4 自民國 92 年起，司法院大法官可否適用憲法第 81 條及有關法官終身職待遇之規定？  
(A)全部司法院大法官均得適用 (B)全部司法院大法官均不得適用  
(C)僅法官轉任司法院大法官者始得適用 (D)僅非法官轉任司法院大法官者始得適用
- 5 下列各項職務中，何者須經立法院同意後，始得任命？  
(A)行政院主計長 (B)法務部部長  
(C)行政院勞工委員會主任委員 (D)審計長
- 6 依憲法增修條文，立法院針對下列何種人事案有同意權？  
(A)行政院院長 (B)司法院大法官  
(C)內政部部长 (D)司法院公務員懲戒委員會委員
- 7 有關憲法第 63 條立法院對於預算之議決權的敘述，下列何者錯誤？  
(A)預算案只許立法院以外之關係院提出，立法院及立法委員則僅有審議之權限  
(B)預算案每一年度實施一次即失其效力，故在學理上又稱為措施性法律  
(C)立法院就預算案之審議不得對各機關所編列預算之數額，在款項目節間移動增減  
(D)預算案之審議關係政府整年度之收支，故審議時有法定之時間之限制
- 8 依現行規定，立法委員的婦女保障名額如何選出？  
(A)由直轄市、縣市的當選名額中選出  
(B)由原住民的當選名額中選出  
(C)由全國不分區及僑居國外國民的當選名額中選出  
(D)未予以規範
- 9 立法院行使罷免總統之職權，其程序性之規定係規範於下列何種法律？  
(A)立法院職權行使法 (B)立法委員行為法 (C)立法院組織法 (D)總統副總統選舉罷免法
- 10 當總統犯內亂罪時，其他國家機關對總統得採取的行動中，不包括：  
(A)罷免總統 (B)彈劾總統  
(C)對總統為刑事上之訴究 (D)對總統為民事上之訴究

- 11 有關總統發布緊急命令之條件，下列敘述何者錯誤？  
(A)須為避免國家或人民遭遇緊急危難或應付財政經濟上重大變故  
(B)須依緊急命令法為之  
(C)須經行政院會議之決議  
(D)須於發布命令後十日內提交立法院追認
- 12 依憲法增修條文規定，總統對下列何人的任命，不須經立法院同意？  
(A)司法院大法官 (B)考試委員 (C)監察委員 (D)行政院院長
- 13 有關總統、副總統彈劾案之敘述，下列何者正確？  
(A)總統、副總統彈劾案由監察院提出  
(B)總統、副總統彈劾案由司法院大法官審理  
(C)經全體立法委員三分之二以上同意時，被彈劾人應即解職  
(D)經中華民國自由地區選舉人總額過半數投票同意時，被彈劾人應即解職
- 14 依憲法本文之規定，總統行使下列何項職權，須經行政院會議之決議？  
(A)提名司法院院長 (B)任命法務部部長 (C)任命國家安全局局長 (D)宣戰媾和
- 15 依憲法增修條文之規定，總統為國情報告時，應向下列何者為之？  
(A)監察院 (B)立法院 (C)國家統一委員會 (D)國家安全會議
- 16 依地方制度法第 25 條規定，自治法規經地方立法機關通過，並由各該行政機關公布者，稱為何者？  
(A)自治規則 (B)自治條例 (C)自治通則 (D)地方通則
- 17 依地方制度法之規定，下列何者非地方自治團體？  
(A)省 (B)直轄市 (C)縣（市） (D)鄉（鎮、市）
- 18 下列何種地方公職人員，非由選舉產生？  
(A)直轄市市長 (B)縣（市）長 (C)村（里）長 (D)區長
- 19 下列關於間接民主之敘述，何者錯誤？  
(A)又稱為代議民主 (B)國家權力之行使非由人民自己為之  
(C)國家權力之正當性最後仍須回溯自人民意志 (D)為我國憲法及增修條文所採取之唯一民主體制
- 20 憲法第 1 條明定中華民國為民主共和國，下列何項原則並非由「民主共和國」所演繹出的原則？  
(A)不告不理原則 (B)權立分立原則 (C)法治國家原則 (D)國家責任原則
- 21 有關民主共和國之國家權力運作原則，下列何者不屬之？  
(A)權力分立原則 (B)法治國家原則 (C)君主立憲原則 (D)憲法優越原則
- 22 我國憲法增修條文第 9 條關於省的規定，下列何者錯誤？  
(A)省設省政府，置主席一人，另置委員九人 (B)省設省諮議會，置省諮議會議員若干人  
(C)省承行政院之命，監督縣自治事項 (D)省政府主席，由行政院院長提請總統任命
- 23 司法院釋字第 328 號針對我國領土作出解釋，認為固有疆域如何界定純屬何種重大問題？  
(A)社會問題 (B)經濟問題 (C)文化問題 (D)政治問題
- 24 通訊監察書由檢察官與司法警察機關負責聲請與核發，而非由法官核發，與何種基本權利之保障意旨不符？  
(A)意見表達自由 (B)不表意自由 (C)新聞媒體自由 (D)秘密通訊自由
- 25 中央警察大學入學考試招生簡章以有無色盲決定能否取得入學資格之規定，涉及下列何者？  
(A)財產權 (B)平等原則 (C)受國民教育之權 (D)信賴保護原則
- 26 行政機關不得以命令干預大學教學之內容及課程之訂定，與下列何者有關？  
(A)大學自治 (B)契約自由 (C)人格發展自由 (D)機關自我拘束原則
- 27 憲法第 24 條未提及公務員之何種責任？  
(A)政治責任 (B)民事責任 (C)刑事責任 (D)懲戒責任
- 28 憲法規定，人民有應考試、服公職之權。此種權利在理論上屬於：  
(A)自由權 (B)受益權 (C)參政權 (D)平等權
- 29 依司法院釋字第 487 號解釋，下列何者係憲法第 24 條國家賠償責任之特別立法？  
(A)冤獄賠償法 (B)犯罪被害人保護法  
(C)強制汽車責任保險法 (D)二二八事件處理及賠償條例
- 30 依司法院大法官之解釋，下列何者與婚姻自由之憲法上保障依據相同？  
(A)人格權 (B)平等權 (C)宗教自由 (D)藝術自由
- 31 下列何者為人民基本權之核心保障？  
(A)公共利益 (B)人性尊嚴 (C)自由平等 (D)民主共和
- 32 私法人不可能享有之人權是：  
(A)民意代表選舉權 (B)財產權 (C)表現自由權 (D)賠償請求權
- 33 刑罰之制定應符合比例原則，請依司法院大法官對此之解釋來判斷下列敘述何者錯誤？  
(A)國家得將特定事項以特別刑法規定特別之罪刑  
(B)國家刑罰權之規定，其內容須符合目的正當性、手段必要性、限制妥當性  
(C)刑罰中誣告罪之反坐規定，立法雖嚴，但仍屬必要，並無違憲  
(D)刑罰之規定，如僅強調同害之原始報應，即有違比例原則

- 34 下列何者並非憲法保障財產權之理念？  
(A)財產權保障之意義在於維持人性尊嚴生活上必須的財產之保障  
(B)因支配他人勞動力所取得的資本型財產，亦應予保障  
(C)對於個人財產權的保障是一種絕對保障  
(D)人民財產權被侵害，得依法請求賠償
- 35 關於公務員之懲戒與憲法人權保障，司法院大法官解釋認為：  
(A)公務員之懲戒，與人權無關  
(B)公務員懲戒標準，得由行政機關訂定  
(C)懲戒處分與懲處處分在構成要件與效力上並無不同  
(D)免職處分之訴訟確定前，得先令停職，但於訴訟確定後方得執行
- 36 下列何者非憲法所定限制基本權之要件？  
(A)增進國家機關權威 (B)避免國家社會及個人之緊急危難  
(C)維持社會秩序或增進公共利益 (D)防止妨礙他人自由
- 37 下列何項屬於憲法未明文規定之自由權利？  
(A)財產權 (B)集會自由 (C)隱私權 (D)工作權
- 38 關於憲法第 23 條之規定，下列敘述何者正確？  
(A)揭示基本權利以保障為原則，限制為例外  
(B)憲法第 23 條只有規定了比例原則  
(C)只要有公共利益事由的存在，行政機關即可直接限制人民基本權利  
(D)自治條例非憲法第 23 條所規定之「法律」，故自治條例不得規定行政罰之條款
- 39 對於人民違反行政法上義務之行為處以裁罰性之行政處分，其處罰之構成要件及法律效果，應由法律定之，以命令為之者，應有法律明確授權，始符合下列何種原則？  
(A)法定法官原則 (B)法律優位原則 (C)法律不溯既往原則 (D)法律保留原則
- 40 妨害兵役治罪條例規定後備軍人居住處所遷移，無故不依規定申報者，即處以刑事罰。依司法院大法官解釋，下列敘述何者正確？  
(A)該規定限制人民之居住遷徙自由 (B)該規定與人民服兵役之義務有關  
(C)該規定有違憲法所定之比例原則 (D)該規定有違憲法所定之平等原則
- 41 I have to issue a traffic violation citation to you because you drive at \_\_\_\_\_ speed.  
(A)excessive (B)excellent (C)normal (D)wonderful
- 42 A team of FBI agents, the same ones who specialize in helping local police \_\_\_\_\_ serial killers, are using their expertise in behavioral profiling to target white-collar criminals.  
(A)track down (B)run across (C)see through (D)turn loose
- 43 In court cases, forensic scientists, also referred to as expert \_\_\_\_\_, often present and explain the evidence discovered, which plays a crucial role in a conviction or dismissal.  
(A)defendants (B)witnesses (C)chemists (D)toxicologists
- 44 Besides its ability to settle paternity issues, DNA \_\_\_\_\_ technology can also be used to help solve criminal cases.  
(A)fingerprinting (B)jurisdiction (C)morphology (D)retrieval
- 45 A controversial Arizona sheriff known for taking a hard line against illegal immigrants has been \_\_\_\_\_ some of his powers in what he described as a political move by the Obama administration.  
(A)stripped off (B)struck off (C)stretched out (D)swept away
- 46 To use an automated teller machine (ATM), you need to insert your bank card and then enter a set of \_\_\_\_\_ number.  
(A)phone (B)seat (C)even (D)PIN
- 47 The police arrested a \_\_\_\_\_ driver who escaped from the car accident.  
(A)come-and-go (B)give-and-take (C)hit-and-run (D)drive-and-escape
- 48 When coming home late at night, Jean was \_\_\_\_\_ by someone who rode a scooter and had a little bit of injury caused by this incident.  
(A)attracted (B)interviewed (C)mugged (D)persuaded
- 49 \_\_\_\_\_! This is police! Drop your weapon and you are under arrest!  
(A)Jump (B)Freeze (C)Move (D)Check
- 50 The suspect was \_\_\_\_\_ by the police about the whereabouts of his wife because he was involved in a domestic violence case.  
(A)complained (B)convinced (C)irritated (D)interrogated
- 51 Problem-oriented policing is the latest in the line of intellectual efforts to try to bring order to what is, by its very nature, a(n) \_\_\_\_\_ aspect of human life.  
(A)romantic (B)chaotic (C)idealistic (D)economic

52 Surveys show that the police do not always understand young people's needs; therefore, well intentioned \_\_\_\_\_ can sometimes have negative consequences.

- (A)prevention (B)prosecution (C)intervention (D)victimization

Recently, the Kaohsiung police department and the Bureau of Investigation cracked the biggest data-theft case ever to have hit Taiwan, involving the leaking of personal information on more than 10 million individuals. This 53 has not only seriously affected public and financial order, but has also shown that Taiwan's data security system needs a thorough overhaul.

The Kaohsiung police discovered that personal data on more than 10 million individuals had been sold by Y. L. International Marketing Corporation to various 54 syndicates. The suspects confessed that more than ten criminal gangs had bought the data to send out fraudulent letters and text messages telling people that they had won prizes. Following a six-month investigation, the Kaohsiung field office of the Bureau of Investigation 55 a large-scale search of dozens of offices of a major telecommunication company and credit information agencies throughout Taiwan. The southern field office of the Criminal Investigation Bureau and mobile inspection units of the South Coast Guard Bureau 56 large amounts of client data and telephone monitoring tapes. They also summoned more than 30 people for questioning.

- 53 (A)scandal (B)investigation (C)setback (D)investment  
 54 (A)marine (B)fraud (C)banking (D)underwriting  
 55 (A)consisted (B)condensed (C)condemned (D)conducted  
 56 (A)seized (B)decided (C)contracted (D)featured

The devolution of immigration policing authority from the federal to local governments represents a sharp break with a long-established tradition of federal control over all aspects of immigration enforcement. In the past, state and local police forces played only a supportive role in immigration affairs, sometimes sharing information about those they had detained as criminal suspects or assisting in enforcement actions. The federal government could not require local governments to do immigration policing. Police powers were constitutionally reserved for the states and their jurisdictional subunits, an arrangement that provided localities with significant flexibility and autonomy. However, with the Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), the federal government has created an opening for localities to ask their police officers to be trained by and to join the federal government in enforcing immigration laws within the interior of the United States. Thus, beginning in 2002, informal working relationships between local police and federal immigration agents have developed. For example, some local police departments are now seeking formal training from federal immigration authorities. Federal agents are also embedded in some police departments to assist in enforcement of drug and human smuggling laws. A number of state prisons and local jails send the names of criminal suspects to federal authorities to be checked for immigration violations. And an increasing number of police departments are electing to do their own immigration status checks. Such an increased involvement of state and local police departments in immigrant affairs has given rise to what some observers are calling "immigration federalism."

57 What is the passage mainly about?

- (A)The importance of cooperation between federal and local governments in immigration affairs.  
 (B)The enhanced role of local governments in immigration policing.  
 (C)The impact of new immigration policies on foreign affairs.  
 (D)The decline of the U.S. federal government.

58 Which of the following statements **is true** according to the passage?

- (A)The IIRIRA prohibits local authorities from checking the status of immigrants.  
 (B)Sharing immigrant information between federal and local authorities had been a long-established tradition before 2002.  
 (C)Before the AEDPA and IIRIRA, local governments enjoyed more freedom from federal control and influence.  
 (D)Before 2002, state police departments were required to cooperate with federal authorities in investigating immigration cases.

59 What does the underlined pronoun "they" refer to?

- (A)Suspects detained by the state and local police forces. (B)Undocumented immigrants.  
 (C)The federal law enforcement agents. (D)The state and local police forces.

60 What may the term "immigration federalism" (last line) most likely mean?

- (A)Sharing of powers on immigration between the federal and state governments.  
 (B)All the immigration agents in the U.S.  
 (C)Immigrants coming from all parts of the world.  
 (D)The sole legitimate federal authority in immigration policing.